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REMARKS/DISCUSSION OF ISSUES

By this Amendment, Applicant amends claims 1-6, 10-11, 17 and 20-25, and cancels claims 18-19 without disclaimer of the underlying subject matter.

Accordingly, claims 1-17 and 20-26 are pending in the application.

Applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of the priority documents, and for indicating that the drawings are acceptable.

Reexamination and reconsideration are respectfully requested for at least the following reasons.

REQUEST FOR NEW NON-FINAL OFFICE ACTION

In the event that the application is still not found to be in allowance in view of the remarks below, Applicant respectfully requests that the Examiner provide a new, non-Final Office Action for at least the following reasons.

The Office Action fails to examine claims 8-17 on the merits after stating that they are in an improper form as supposedly being multiple dependent claims that depend from other multiple dependent claims.

Applicant respectfully notes that a Preliminary Amendment was filed together with this patent application the very day that the application was filed at the USPTO on 23 May 2006. The Preliminary Amendment amended the claims to **eliminate all multiple dependent claims** so as to avoid paying the USPTO fee for such claims. The undersigned attorney has checked the USPTO Patent Application Information Retrieval (PAIR) system and verified that the Preliminary Amendment was properly received by the USPTO and properly entered into the electronic file wrapper for this patent application. The Examiner is respectfully invited to recheck his database regarding this application at the USPTO and note the presence of that Preliminary Amendment filed together with this patent application on 23 May 2006.

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Thus it is seen that claims 8-17 are not multiple dependent claims, and they also do not depend from any other multiple dependent claims. Therefore, the objections to claims, and the decision not to examine the claims on the merits, are improper.

Accordingly, at a minimum, if the application is not found to be in allowance in view of the remarks below, Applicant respectfully requests that the Examiner provide a new, non-Final Office Action that fully examines the pending claims 8-17.

35 U.S.C. §§ 102 and 103

The Office Action rejects claims 1-3, 7, 20-22 and 26 under 35 U.S.C. § 102 over Goren et al. U.S. Patent 7,069,025 ("Goren"), and claims 4-6 and 23-26 under 35 U.S.C. § 103 over Goren in view of Diener et al. U.S. Patent 7,006,838 ("Diener").

Applicant respectfully traverses these rejections for at least the following reasons.

Claim 1

Among other things, the method of claim 1 includes applying at least one test on the received signals to select a processing operation on the signals, the operation being one of the following: a correlation processing operation, and a leading edge processing operation.

Applicant respectfully submits that Goren does not disclose any method including this feature.

The Office Action states that Goren discloses the at least one test in step 1570 in FIG. 15.

Applicant respectfully disagrees.

Step 1570 in FIG. 15 of Goren is a step where Goren determines the quality of the correlation signal using some preselected quality metric, such as the SNR of the correlation signal, or the peak amplitude of the correlation signal.

Absolutely NO TEST at all is applied by Goren in step 1570 of FIG. 15. This is apparent by the fact that there is only ONE output path from block 1570 in FIG. 15.

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Now, step 1575 in FIG. 15 **does** apply a test – but the test is: (1) not applied on the received signal; and (2) does not select between performing a correlation processing operation on the signal, or a leading edge processing operation on the signal. Instead, the test 1575: (1) is applied on a correlation signal after a correlation has already been performed in step 1570, and (2) the test only determines whether or not the correlation signal is even of sufficient quality that a TOA measurement can be performed at all – if the quality is sufficient, then a TOA measurement is performed at step 1590; if not, then the process returns back to step 1570 and tries again.

Therefore, Applicant respectfully submits that Goren does not disclose any method that includes applying at least one test on the received signals to select a processing operation on the signals, the operation being one of the following: a correlation processing operation, and a leading edge processing operation.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 1 is patentable over Goren.

Claims 2-3 and 7

Claims 2-3 and 7 depend from claim 1 and are deemed patentable for at least the reasons set forth above with respect to claim 1. Furthermore, Goren does not disclose the specific features recited in these claims. For example with respect to claims 2 and 3, Goren does not determine whether the level of the received signal is above or below a threshold value and then take the recited actions based upon that result. Also, again it is noted that step 1575 makes a determination based on a quality of a correlation signal, not a level of a received signal. Accordingly, for at least these additional reasons, Applicant respectfully submits that claims 2 and 3 are patentable over Goren.

Claim 20

Among other things, the apparatus of claim 20 includes means to apply at least one test on received signals to select a processing operation on the signals from among the following operations: a correlation processing operation, and a leading edge processing operation.

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In similarity to the explanations provided above with respect to claim 1, Applicant respectfully submit that Goren does not disclose applying at least one test on received signals to select a processing operation on the signals from among the following operations: a correlation processing operation, and a leading edge processing operation.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 20 is patentable over the cited art.

Claims 21-22 and 26

Claims 21-22 and 26 depend from claim 20 and are deemed patentable for at least the reasons set forth above with respect to claim 20. Furthermore, Goren does not disclose the specific features recited in these claims. For example with respect to claims 21 and 22, Goren does not determine whether the level of the received signal is below the threshold value and then take the recited actions based upon that result. Again it is noted that step 1575 makes a determination based on a quality of a correlation signal, not a level of a received signal. Accordingly, for at least these additional reasons, Applicant respectfully submits that claims 21 and 22 are all patentable over Goren.

Claims 4-6 and 23-26

Claims 4-6 and 23-26 depend variously from claims 1 and 20. Diener does not remedy the shortcomings of Goren as set forth above with respect to claims 1 and 20. Accordingly, claims 4-6 and 23-26 are deemed patentable for at least the reasons set forth above with respect to claims 1 and 10.

CONCLUSION

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 1-17 and 20-26 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact

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Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

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